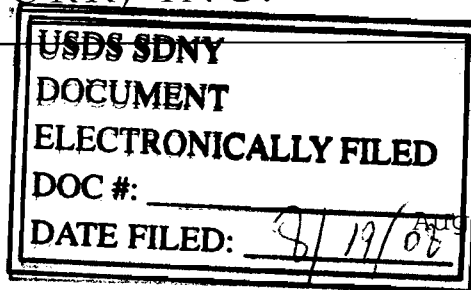


**MEMO ENDORSED****Federal Defenders  
OF NEW YORK, INC.**Southern District  
52 Duane Street-10th Floor, New York, NY 10007  
Tel: (212) 417-8700 Fax: (212) 571-0392Leonard F. Joy  
Executive DirectorSouthern District of New York  
John J. Byrnes  
Attorney-in-Charge

August 13, 2008

**BY HAND DELIVERY**Honorable Lewis A. Kaplan  
United States District Judge  
United States Courthouse  
500 Pearl Street  
New York, NY 10007**Re: United States v. Bernardo Aponte**  
06 Cr. 912 (LAK)

Dear Judge Kaplan:

With the consent of the government, I write on behalf of my client, Bernardo Aponte, to request a two-week adjournment of the motion schedule in the above-referenced case. The additional two weeks are necessary so that Mr. Aponte and I can complete our review of the discovery together with the aid of a Spanish interpreter.

At a conference on July 2, 2008, the Court set the following schedule: Defense motions due by August 15, Government response due by August 29, and oral argument on September 12 at 10:30. I request that all of the dates be adjourned by two weeks.

Assistant United States Attorney John Kane (telephone number 202-353-9715) informs me that the government consents to this request.

**MEMO ENDORSED**

Mr. Aponte consents to the exclusion of time between September 12 and the adjourn date for oral argument from any speedy trial calculation.

Application granted. Defense motions are now due 8/29/2008, Government response due 9/12/2008, and oral argument, or a conference if no motions are filed, is now scheduled for September 23rd, 2008 at 2:30pm. Time from today through 9/23/08 is excluded from speedy trial calculations in the interests of justice.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Peggy M. Cross".

Peggy M. Cross  
Staff Attorney

So Ordered:

 A handwritten signature in cursive script, appearing to read "Paul Bluth".
   
U.S.D.J. - Part I

Tel.: (212) 417-8732

cc: AUSA John Kane (via facsimile, 202-616-1786)